



RCE/600
#21
Reg. PCE
Filing
6.20.03

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/444,221
Filing Date	November 19, 1999
Examiner Name	B. Brumback
First Named Inventor	Brian R. Murphy
Group Art Unit	1642
Attorney Docket Number	2303-1-5/-142-96-3 (formerly NIH-104)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

b. Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge any additional fees or credit any overpayments, to Deposit Account No. 07-1897

i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Other _____

b. ☒ Check in the amount of \$ 750.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Jeffrey J. King	Registration No. (Attorney/Agent)	38,515
Signature		Date	April 29, 2003

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Name (Print /Type)	Donna Zimmerman	Date	April 29, 2003
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GRAYBEAL JACKSON HALEY, LLP

Brian R. Murphy, et al.

Title: Production of Attenuated Respiratory Syncytial Virus
Vaccines From Cloned Nucleotide Sequences

Docket No: 2303-1-5/E-142-96-3 (Formerly NIH-104)

Amount: \$750.00

RCE fee

GRAYBEAL JACKSON HALEY, LLP 155 NORTH BAYVIEW BLVD. SUITE 350 BELLEVUE, WASHINGTON 98009-5978 (206) 455-5575		U.S. BANK 25 HOOR BANGING 1-800-673-4555 19-10/1250		CHECK NO. 20284
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Applicant: Brian R. Murphy, et al

Title: Production of Attenuated Respiratory Syncytial Virus Vaccines From Cloned Nucleotide Sequences

Application No.: 09/444,221

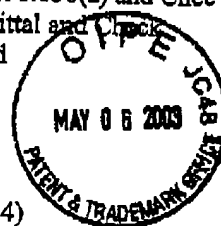
Papers Submitted: Transmittal Letter; Amendment/Response; Petition for Extension of Time Under 37 CFR 1.136(a) and Check #20281 for \$1,970; RCE Transmittal and Check #20284 for \$750.00; and postcard

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Sent: April 29, 2003

Sender: Jeffrey J. King

Docket: 2303-1-5/E-142-96/3 (formerly NIH-104)



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Jeffrey J. King
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June 20, 2003

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To: Examiner Lucas

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Company: Patent and Trademark Office

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No. of pages: 36

From: Jeffrey J. King

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Regarding: Documents Requested Per Telephone Conversation of June 20, 2003

Message: Please see attached.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian R. Murphy, et al

Title: Production of Attenuated Respiratory Syncytial Virus Vaccines
From Cloned Nucleotide Sequences

Serial No.: 09/444,221

Filing Date: November 19, 1999

Examiner/Unit: 1642

Attorney Docket No.: 2303-1-5/E-142-96/3 (formerly NIH-104)

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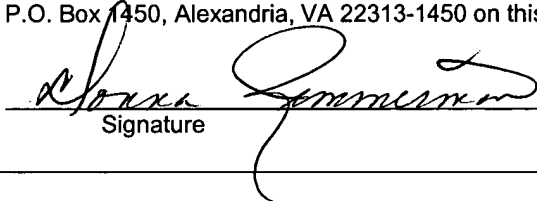
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TRANSMITTAL LETTER

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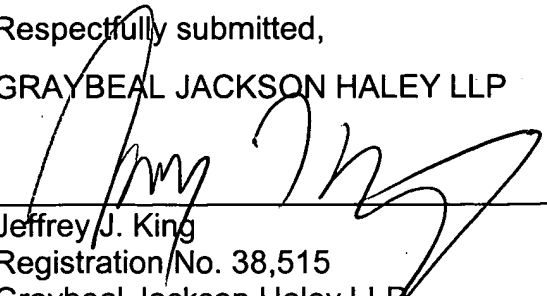
1. X An Amendment/Response in the above-identified application.
No additional fee is required.
2. X Petition for Extension of Time Under 37 CFR 1.136(a).
Check No. 20281 in the amount of \$1,970.00 is attached.
3. X Request for Continued Examination (RCE) Transmittal
Check No. 20284 in the amount of \$750.00 is attached
4. X Postcard

5. X

Please charge any additional fees or credit overpayment to
Deposit Account No. 07-1897.

Respectfully submitted,

GRAYBEAL JACKSON HALEY LLP



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PTO/SB/21 (05-03)

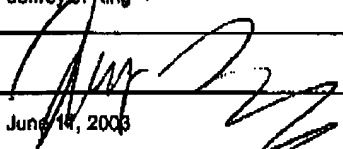
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/083,793	
	Filing Date	May 22, 1998	
	First Named Inventor	Brian R. Murphy	
	Art Unit	1648	
	Examiner Name	M. Mosher	
Total Number of Pages in This Submission	1	Attorney Docket Number	203-1-5 (formerly NIH-0104)

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Deposit Declaration of Brian R. Murphy
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jeffrey J. King
Signature	
Date	June 14, 2003

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Typed or printed name	Dorina M. Zimmerman		
Signature		Date	June 11, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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